

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

<b>ANTHONY WILLIAM MILLER, #56421</b>	§	<b>PETITIONER</b>
	§	
<b>VERSUS</b>	§	<b>CIVIL ACTION NO. 2:02cv61-DMR-RHW</b>
	§	
<b>DOLAN WALLER and</b>	§	
<b>MIKE MOORE</b>	§	<b>RESPONDENTS</b>

**ORDER DENYING PETITIONER'S MOTION TO SUBSTITUTE  
AND MOTION FOR RECONSIDERATION**

BEFORE THE COURT is the voluminous Response, Objection, and Exhibits of the Petitioner, Anthony William Miller, #56421, filed on March 27, 2006 [Doc. No. 59] after being received in the Court's afternoon mail on said date; the Petitioner's Objections were due on March 24, 2007. Earlier, in the morning on the day of March 27, 2006, this Court filed its Order [Doc. No. 57] adopting the Report and Recommendation of the U. S. Magistrate Judge, which recommended that the Petition of Anthony William Miller filed pursuant to 28 U.S.C. §2254 be denied and said Petition be dismissed [Doc. No. 50], and filed a Final Judgment.

Thereafter, the Petitioner filed on April 5, 2006 [Doc. No. 60], a Motion to Substitute Pages of Objections to Report and Recommendation of United States Magistrate Judge, and a Motion for Reconsideration [Doc. No. 62] of the Court's Order of March 27, 2006, adopting the U. S. Magistrate's Report and Recommendation.

After careful consideration of the extensive record, including, in any event, the substitutions, Objections [Doc Nos. 59 and 61], documents, and exhibits filed by the Petitioner, as well as the applicable case law, the Court is of the opinion that the Motion to Substitute and the Motion for Reconsideration are not well taken and should be denied.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the Motion to Substitute Pages of Objections to Report and Recommendation of United States Magistrate Judge [Doc. No. 60] be and is hereby **DENIED as MOOT.**

**IT IS FURTHER ORDERED AND ADJUDGED** that the Motion for Reconsideration [Doc. No. 62], be and is hereby **DENIED.**

**SO ORDERED AND ADJUDGED** this the 26th day of May, 2006.

**/S/ DAN M. RUSSELL, JR.**  
**UNITED STATES DISTRICT JUDGE**